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## FACSIMILE COVER SHEET

To: Commissioner for Patents for Examiner Shaw, Peling Andy Group Art Unit 2144	Facsimile No. 571/273-8300
From: Michelle R. Mizerak Legal Assistant to LaRhonda Jefferson-Mills	No. of Pages Including Cover Sheet: 6
Enclosed herewith: <ul style="list-style-type: none"><li>• Applicant Initiated Interview Request Form (PTOL-413A); and</li><li>• Agenda for FAIPP Telephone Interview.</li></ul>	
Re: Application Serial No. 10/815,215 Attorney Docket No. AUS920040009US1	
Date: August 29, 2008	
<b>Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.</b>	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

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SEP 02 2008

PTOL-413A (10-07)  
 Approved for use through 10/31/2007. OMB 0851-0031  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### Applicant Initiated Interview Request Form

Application No.: 10/815,215 First Named Applicant: Doan et al.  
 Examiner: Shaw, Peling Andy Art Unit: 2144 Status of Application: 1st Office Action (FALPP)

**Tentative Participants:**

(1) LaRhonda Jefferson-Mills (2) Peling Andy Shaw  
 (3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: Wednesday, September 10, 2008 Proposed Time: 11:00 am EST (AM/PM)

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejection</u>	<u>1</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

**Brief Description of Arguments to be Presented:**

See attached agenda

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

LaRhonda Jefferson-Mills

Typed/Printed Name of Applicant or Representative

61,649

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

### Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Doan et al.

§ Group Art Unit: 2144

Serial No.: 10/815,215

§

Examiner: Shaw, Peeling

SEP 02 2008

Filed: March 31, 2004

§

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Attorney Docket No.: AUS920040009US1

§

§

For: Method for Automatic E-Mail  
Response Interruption Based on User  
Activity

§

Request for First Action Interview - Agenda

I would like to request a telephone interview on Wednesday, September 10, 2008 at 11:00AM EST. Please consider the following topic for discussion for the:

103 Rejection of Claim – Proposed Amendment of Claim 1

1. (Currently Amended) A method for filtering electronic mail messages on a client computer in a distributed computer network, the method comprising the computer implemented steps of:

~~receiving an electronic mail message at the client computer;~~

determining whether an interrupt ~~indicator~~ is associated with ~~[(the)] an~~ electronic mail message, wherein the interrupt ~~indicator~~ is a specific interrupt designation ~~within the subject line~~ of the electronic mail message, ~~and wherein the electronic mail message comprises an interrupt indicator attached to one of a header and a footer of the electronic mail message;~~

~~validating whether a sender of the electronic mail message is authorized to send the electronic mail message with the interrupt indicator;~~

~~responsive to a determination that ~~[[an]] the~~ interrupt indicator is associated with the electronic mail message and the sender is authorized to send the electronic mail message with the interrupt indicator, determining whether a desktop of the client computer is active;~~

~~responsive to determining that the desktop of the client computer is active, automatically displaying a content of the electronic mail message in a popup window without a close button, wherein the popup window comprises a reply button and an action completed button, and wherein the popup window is displayed in a forefront position in the user interface on the desktop of the client computer, and wherein the popup window remains in the forefront position until a recipient of the electronic mail message responds to the content of the electronic mail message by selecting one of the reply button and the action completed button wherein the content of the electronic mail~~

~~message is automatically displayed to a recipient in the popup window without the close button in the forefront position in the user interface on the client computer in response to determining that a sender of the electronic mail message has authority to issue an interrupt electronic mail message to the recipient, and wherein the authority to issue the interrupt electronic mail message is based on a corporate directory that includes an organizational hierarchy structure; and~~

~~displaying the content of the electronic mail message in the popup window without the close button in the forefront position in the user interface on the client computer until the recipient selects an action completed button within the popup window to indicate that actions specified in the electronic mail message are completed, wherein selecting the action completed button by the recipient results in a return electronic mail message being sent to the sender of the interrupt electronic mail message to notify the sender that the actions specified in the electronic mail message are completed~~

responsive to the recipient of the electronic mail message selecting one of the reply button and the action completed button, closing the popup window;

responsive to determining that the sender is not authorized to send the electronic mail message with the interrupt indicator, delivering the electronic mail message to the recipient inbox; and

responsive to determining that the desktop of the client computer is inactive, delaying the display of the electronic mail message until the desktop becomes active.

2.-24. (Canceled)

**REMARKS**

Claim 1 is pending. Applicants have amended claim 1. Support for the claim amendment can be found in the as-filed specification on page 18. Applicants do not concede that the subject matter encompassed by the earlier presented claims is not patentable over the art cited by the Examiner. Applicants respectfully reserve the right to pursue this claim, including the subject matter encompassed by the claim 1 as presented prior to this Amendment, in one or more continuations and/or divisional patent applications.

**I. 35 U.S.C. § 103, Obviousness**

The Examiner has rejected claim 1 under 35 U.S.C. § 103 as being unpatentable over *Beyda* (US Pub No. 2003/0229670 A1), in view of *Marsot et al.* (U.S. Patent No. 7,010,790 B2), and *Ayan* (U.S. Patent No. 6,769,002 B2). This rejection is respectfully traversed.

Applicants have amended claim 1. An obviousness rejection cannot be made against claim 1, because the combination of references, considered as a whole does not teach or suggest each and every feature of claim 1 as amended. Specifically, the combination of references does not teach or suggest the features:

1) responsive to determining that the desktop of the client computer is active, automatically displaying a content of the electronic mail message in a popup window, wherein the popup window comprises a reply button and an action completed button, and wherein the popup window is displayed in a forefront position on the desktop of the client computer, and wherein the popup window remains in the forefront position until the recipient of the electronic mail message responds to the content of the electronic mail message by selecting one of the reply button and the action completed button;

2) responsive to the recipient of the electronic mail message selecting one of the reply button and the action completed button, closing the popup window;

DATE:

Respectfully submitted,

/LaRhonda Jefferson-Mills /

LaRhonda Jefferson-Mills

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